



**SOUTH CAROLINA DEPARTMENT OF  
HEALTH AND ENVIRONMENTAL CONTROL**

**PUBLIC HEALTH ORDER No. COVID-19-8**

**WHEREAS**, on March 13, 2020, Governor Henry McMaster declared a State of Emergency based on a determination that Coronavirus Disease 2019 (COVID-19) posed an actual or imminent public health emergency for the State of South Carolina; and

**WHEREAS**, on March 13, 2020, the Governor also directed the South Carolina Department of Health and Environmental Control (DHEC) to utilize and exercise any and all emergency powers, as set forth in the Emergency Health Powers Act, codified as amended in Title 44, Chapter 4 of the South Carolina Code of Laws, deemed necessary to promptly and effectively address the current public health emergency. In accordance with Section 44-4-500 of the South Carolina Code of Laws, as amended, the Governor ordered that DHEC shall "use every available means to prevent the transmission of infectious disease and to ensure that all cases of infectious disease are subject to proper control and treatment"; and

**WHEREAS**, on March 13, 2020, the President of the United States declared the ongoing COVID-19 outbreak a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia, pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207 ("Stafford Act"); and

**WHEREAS**, on March 24, 2020, the Governor requested that the President of the United States declare that a major disaster exists in the State of South Carolina pursuant to Section 401 of the Stafford Act; and

**WHEREAS**, on March 27, 2020, the President of the United States granted the Governor's request and declared that a major disaster exists in the State of South Carolina and ordered federal assistance to supplement state, tribal, and local recovery efforts in the areas affected by the COVID-19 pandemic, with an effective date retroactive to January 20, 2020, and continuing; and

**WHEREAS**, in addition to declaring an initial State of Emergency on March 13, 2020, the Governor has issued various Executive Orders initiating, directing, and modifying further extraordinary measures designed to address the significant public health, economic, and other impacts associated with COVID-19 and to mitigate the resulting burdens on healthcare providers, individuals, and businesses in the State of South Carolina, certain provisions of which have been extended by subsequent and distinct emergency declarations set forth in Executive Order Nos. 2020-15, 2020-23, 2020-29, 2020-35, 2020-38, 2020-40, 2020-42, 2020-44, 2020-48, 2020-53, 2020-56, 2020-59, 2020-62, 2020-65, 2020-67, 2020-70, 2020-72, 2020-75, 2020-77, 2021-03, 2021-07, and 2021-08; and

**WHEREAS**, in addition to the directive from the Governor on March 13, 2020, requiring DHEC to utilize and exercise any and all emergency powers, as set forth in the Emergency Health Powers Act, codified as amended in Title 44, Chapter 4 of the South Carolina Code of Laws, deemed necessary to promptly and effectively address the current public health emergency, the Governor has

included the same directive in Executive Order Nos. 2020-15, 2020-23, 2020-29, 2020-35, 2020-38, 2020-40, 2020-42, 2020-44, 2020-48, 2020-53, 2020-56, 2020-59, 2020-62, 2020-65, 2020-67, 2020-70, 2020-72, 2020-75, 2020-77, 2021-03, 2021-07, and 2021-08; and

**WHEREAS**, as of February 11, 2021, COVID-19 is widespread throughout the state and in all 46 counties, with 419,435 confirmed cases statewide and 7,010 confirmed deaths; and

**WHEREAS**, the Centers for Disease Control and Prevention (CDC), located within the United States Department of Health and Human Services, created the Vaccine Administration Management System (VAMS), a web-based application that supports planning and execution for temporary, mobile, or satellite COVID-19 vaccination clinics, as well as traditional medical practices that do not have existing IT systems for vaccination clinic management; and

**WHEREAS**, DHEC has established a statewide immunization registry, the Statewide Immunization Online Network (SIMON) and has promulgated regulations for the implementation and operation of a registry (S.C. Code Ann. § 44-29-40(B)); and

**WHEREAS**, all health care providers shall report to DHEC the administration of any immunization in a manner and including such data as specified by DHEC (S.C. Code Ann. § 44-29-40(B)); and

**WHEREAS**, in the event of a state or federal declared disaster, state of emergency, or public health emergency, at DHEC's discretion, immunization providers shall report to DHEC the information regarding administration or dispensing of certain drugs, medications, chemicals, vaccines or biological products used in response to the declared disaster, state of emergency, or public health emergency (S.C. Code Ann. Regs. 61-120(C)(6)); and

**WHEREAS**, DHEC has determined that all immunization providers of COVID-19 vaccines will utilize either SIMON or VAMS for the collection and monitoring of COVID-19 vaccination data; and

**WHEREAS**, the collection and understanding of rapid and accurate COVID-19 vaccination data from the state's pandemic providers is necessary for dose-level accountability and critical decision-making, including decisions regarding allocation of resources; and

**WHEREAS**, CDC has recommended that states require providers administering COVID-19 vaccines to report information about each dose within no more than seventy-two (72) hours of administration; and

**WHEREAS**, DHEC is invested with all the rights and charged with all the duties pertaining to organizations of like character and is the sole advisor of the state in all questions involving the protection of public health within its limits (S.C. Code Ann. § 44-1-110); and

**WHEREAS**, DHEC has determined that COVID-19 vaccine providers must report information about each dose within twenty-four (24) hours of administration in order to account for each dose in a more accurate and timely manner; and

**WHEREAS**, DHEC must enforce or prescribe preventive measures as may be needed to suppress or prevent the spread of these diseases by proper quarantine or other measures of prevention, as may be necessary to protect citizens of the State (S.C. Code Ann. § 44-1-80(A)); and

**WHEREAS**, DHEC shall have, upon request, full access to the medical records, tumor registries, and other special disease record systems maintained by physicians, hospitals and other health facilities as necessary to carry out its investigation of epidemic and endemic diseases (S.C. Code Ann. § 44-1-110); and

**WHEREAS**, DHEC is granted the authority to make, adopt, promulgate and enforce reasonable rules and regulations from time to time requiring and providing for the thorough investigation and study of the causes of all diseases, epidemic and otherwise, in the State, the means for the prevention of contagious disease and the publication and distribution of such information as may contribute to the preservation of the public health and the prevention of disease (S.C. Code Ann. § 44-1-140(12)); and

**WHEREAS**, DHEC may also make separate orders and rules to meet any emergency not provided for by general rules and regulations, for the purpose of suppressing nuisances dangerous to the public health and communicable, contagious and infectious diseases and other danger to the public life and health (S.C. Code Ann. § 44-1-140); and

**WHEREAS**, DHEC has determined that requiring all pandemic providers required to report information pertaining to the administration of each dose of COVID-19 vaccine within twenty-four (24) hours of administration is critical; and

**NOW, THEREFORE, IT IS HEREBY ORDERED**, pursuant to Section 44-1-140 of the South Carolina Code of Laws, that all designated pandemic providers and retail pharmacies who are required to record vaccination data in either VAMS or SIMON must do so no more than twenty-four (24) hours after administration of COVID-19 vaccine.

Should any provider or facility face human resource or information technology challenges in completing any requirement of this Order, the provider or facility should notify DHEC immediately using the email addresses found herein. Should a provider or facility require technical assistance with enrolling in or using VAMS, the provider or facility should notify DHEC immediately by contacting DHEC's VAMS Coordinator at VAMS@dhec.sc.gov. Should a provider or facility require technical assistance with enrolling in or using SIMON, the provider or facility should notify DHEC immediately by contacting DHEC's SIMON Coordinator at COVIDProviderEnrollment@dhec.sc.gov.

**IT IS FURTHER ORDERED**, pursuant to Section 44-1-150 of the South Carolina Code of Laws, that any person or facility that violates this Order is subject to a civil penalty not to exceed one thousand dollars (\$1,000.00) a day for each violation.

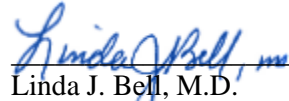
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This Order is effective immediately and shall remain in effect unless otherwise modified, amended, or rescinded by subsequent order.

**AND IT IS SO ORDERED.**

  
Linda J. Bell, M.D.  
State Epidemiologist

Director, Bureau of Communicable Disease Prevention and Control

Date: 02/11/2020